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EXAMINER

AGGARWAL, YOGESH K

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/829,820	Applicant(s) YONEDA, TADAAKI	
	Examiner Yogesh K. Aggarwal	Art Unit 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 and 23-32 is/are pending in the application.
- 4a) Of the above claim(s) 25,30 and 31 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21,23,24,26-29 and 32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments with respect to claims 1-21, 23-32 have been considered but are moot in view of the new ground(s) of rejection.

Examiner's response:

2. Applicant's argue with regards to newly added claim limitation "wherein the printer characteristic information comprises information read from a printer from the group consisting of density characteristics, sharpness characteristics, ribbon size or ribbon color" is not disclosed in the Suzuki Patent (6,111,605). The Examiner respectfully disagrees. The claims are recited in a Markush group wherein a process or a combination, it is sufficient if the members of the group are disclosed in the specification to possess only one of the members of the group. Therefore density characteristics, which is a term that is used for denoting the resolution of a printer, and is used intermittently in the literature. Henceforth, Suzuki discloses in figure 4a that the resolution of the image to be printed is displayed on the monitor (col. 11 lines 15-25). Thus Suzuki discloses density (=resolution) characteristics as one of the printer characteristics information that is being displayed.

3. Applicant's argue with regards to claim 23 that Suzuki '933 patent does not disclose allowing or inhibiting photographic operations based upon information of electric power consumption, but simply inhibits it during printing regardless of power consumption information. The Examiner respectfully disagrees. Suzuki '933 explains in col. 5 line 61-col. 6 line 2 that picture taking flag is set at the start of the print, and the picture taking flag is set until the print ends, the picture taking operation can be prevented from being performed during printing. Therefore, a print operation with the large power dissipation and the picture taking

operation are not simultaneously performed, the peak value of the power dissipation can be suppressed, and it is possible to contribute to lengthen the usable period of the battery. Thus, the intent of Suzuki is to inhibit photographic operations during printing operations in order to reduce power consumption and is therefore based upon information of electric power consumption as claimed.

4. Applicant's argue with regards to claim 24 that Maeda (US Patent 5,493,409) does not disclose a controller for making the image recording means to suspend a recording operation when a photographing operation by the image sensor is instructed during the recording operation by the image recording means, for making the image sensor to photographing, and then for making the image recording means to restart the recording operation after the photographing operation of the image sensor is finished. The Examiner respectfully disagrees. In Table 1, Dcon is '01', power is not supplied to printer and image forming section and only to the camera section so that the camera section can start photographing. When Dcon is '10' the power is supplied to the image forming section, so that the image taken already by the camera section can be recorded.

5. Applicant argues with regards to claims 26 and 27 that Tamura (JP Patent # 9-37125) does not teach a controller for prohibiting a photographing operation by the image sensor during a transfer operation by the transfer means then permitting the photographing operation upon completion of the transfer operation. The Examiner respectfully disagrees. Tamura clearly teaches in paragraph 16, figure 2 that a power switch is turned on which supplies power to all the circuits except the transmitter 5. Tamura further teaches in paragraph 17 that after the photographic operations are done, power is turned off to the camera (step S4). An automatic

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transmission switch 10 is turned on is decided, and the image file is transferred is the power is on. During this time the power to the camera is turned off and only power to the transmission section is supplied. It would be inherent that a successive photographing operation can be enabled by turning on the power switch of the camera after the transfer operation is complete. Therefore Tamura does teach controller (5) for prohibiting a photographing operation by the image sensor during a transfer operation by the transfer means then permitting the photographing operation upon completion of the transfer operation.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-14, 16, 17, 18 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki (US Patent # 6,111,605).

[Claim 1]

Suzuki '605 teaches an imaging apparatus (figure 1) comprising an image sensor (105) for inputting an object image and for obtaining image signals (col. 10 lines 38-41), an image processing means (113) for image-processing the obtained image signals according to printer characteristic information (col. 12 line 59-col. 13 line 47, figure 6). Suzuki further teaches that the image after being processed by the image processing means is stored in the memory 103 (col. 14 lines 8-12, figure 7) and therefore displayed on the display means (102) after reading from the

memory card. Regarding the newly added limitation of “wherein the printer characteristic information comprises information read from a printer from the group consisting of density characteristics, sharpness characteristics, ribbon size or ribbon color” is recited in a Markush group wherein a process or a combination, it is sufficient if the members of the group are disclosed in the specification to possess only one of the members of the group. Therefore density characteristics, which is a term that is used for denoting the resolution of a printer, and is used intermittently in the literature. Henceforth, Suzuki discloses in figure 4a that the resolution of the image to be printed is displayed on the monitor (col. 11 lines 15-25). Thus Suzuki discloses density (=resolution) characteristics as one of the printer characteristics information that is being displayed.

[Claim 2]

Suzuki teaches an imaging apparatus (figure 1) comprising an image sensor (105) for inputting an object image and for obtaining image signals (col. 10 lines 38-41), a first image processing means (107, 108) for image-processing the obtained image signals (col. 11 lines 24-31), a second image processing means (113) for image-processing the obtained image signals according to printer characteristic information (col. 12 line 59-col. 13 line 47, figure 6). Suzuki further teaches a “deletion” mode for deleting picture information stored in the memory 114 (col. 11 line 63-col. 12 line 8) and an “input” mode for inputting picture information section (col. 12 lines 10-51) and a “recording” mode for recording the picture information into the memory 114 that is inputted during the inputted mode (col. 12 lines 52-56). Therefore if a “deleting” mode is selected the image is processed without the picture information processing means and if a “recording” mode is selected the image is processed according to picture information means recorded in the

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memory 114. Suzuki further teaches that the image after being processed by the image processing means is stored in the memory card 103 (col. 14 lines 8-12, figure 7) and therefore displayed on the display means (102) after reading from the memory card in both modes.

Regarding the newly added limitation of “wherein the printer characteristic information comprises information read from a printer from the group consisting of density characteristics, sharpness characteristics, ribbon size or ribbon color” is recited in a Markush group wherein a process or a combination, it is sufficient if the members of the group are disclosed in the specification to possess only one of the members of the group. Therefore density characteristics, which is a term that is used for denoting the resolution of a printer, and is used intermittently in the literature. Henceforth, Suzuki discloses in figure 4a that the resolution of the image to be printed is displayed on the monitor (col. 11 lines 15-25). Thus Suzuki discloses density (=resolution) characteristics as one of the printer characteristics information that is being displayed.

[Claim 3]

Suzuki teaches a memory means (103) for storing the obtained image signals, wherein the first and second image processing means image-process the respective image signals means stored in the memory (col. 14 lines 8-13).

[Claims 4 and 5]

Suzuki teaches wherein the printer characteristic information is contained in the imaging apparatus (col. 11 lines 24-31).

[Claims 6-9]

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Suzuki teaches an input means for inputting the printer characteristic information is inputted from a printer from outside of the imaging apparatus when the printer is connected with the imaging apparatus (col. 17 lines 14-26).

[Claims 10 and 11]

Suzuki teaches in figure 11 a printer connected to the camera so that the selection means selects the second image processing means (113).

[Claim 12]

Suzuki teaches an imaging apparatus (figure 11) comprising an image sensor (105) for inputting an object image and for obtaining image signals (col. 10 lines 38-41), a first output means (122) for outputting the image signals an outside; and an image recording apparatus (301) having an input means (302) for inputting the image signals output from the first output means (122), an image processing means (305) for image-processing the image signals (col. 13 lines 45-47). An image recording means would be inherently present in the printer for printing on the basis of the image signals processed by the image processing means and to display on the display means 304. Suzuki teaches a second output means (304) for outputting the image signals processed by the image processing means to an outside (col. 11 lines 17-22).

[Claim 13]

Suzuki teaches in steps S612 and S614 (figure 12) that the image recording apparatus (Printer) conducts processing on the basis of instructions from the imaging apparatus (DSVC) when the imaging apparatus is connected with the image recording apparatus.

[Claim 14]

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Suzuki teaches an I/F device 201 connection between a camera and a printer (figures 2a and 2b), which inherently can transfer image data in both directions, therefore the DSVC displays image data after it has been processed by the printer.

[Claims 16 and 17]

Suzuki teaches an image recording system (figure 1) comprising an image recording apparatus (101) having a first input means (105) for inputting image signals (col. 10 lines 38-41), an image processing means (113) for image-processing the image signals according to a printer characteristic (col. 12 line 59-col. 13 line 47, figure 6), an image recording means (103) for printing according the image signals processed by the image processing means (col. 14 lines 8-12, figure 7). An arrow from IPP 107 (fig. 1) to the display section 102 is used as an output means for outputting the image to the display section 102. Regarding the newly added limitation of “wherein the printer characteristic information comprises information read from a printer from the group consisting of density characteristics, sharpness characteristics, ribbon size or ribbon color” is recited in a Markush group wherein a process or a combination, it is sufficient if the members of the group are disclosed in the specification to possess only one of the members of the group. Therefore density characteristics, which is a term that is used for denoting the resolution of a printer, and is used intermittently in the literature. Henceforth, Suzuki discloses in figure 4a that the resolution of the image to be printed is displayed on the monitor (col. 11 lines 15-25). Thus Suzuki discloses density (=resolution) characteristics as one of the printer characteristics information that is being displayed.

[Claim 18]

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Suzuki teaches that a user enters instructions from the operation display section 116, wherein the image recording apparatus conducts recording operation according to instructions from the image display apparatus when the image display apparatus is connected with the image recording apparatus (col. 11 line 48-col. 12 line 67, figures 3-6).

[Claim 20]

Suzuki teaches an image recording apparatus (figure 1, element 101) comprising an input means (105) for inputting image signals (col. 10 lines 38-41), an image processing means (113) for image-processing the image signals input from the image input means according to a print characteristic (col. 12 line 59-col. 13 line 47, figure 6), an image recording means (103) for printing according to the image signals processed by the image processing means (col. 14 lines 8-12, figure 7) An arrow from IPP 107 (fig. 1) to the display section 102 is used as an output means for outputting the image to the display section 102.

8. Claims 23 and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki (US Patent # 6,774,933).

[Claim 23]

Suzuki '933 teaches an imaging apparatus (figure 1) comprising an image sensor (12) for inputting an object image and for obtaining image signals, an image recording means (72) for printing according to image signals obtained by the image sensor, a power source (62) for supplying electric power to the image sensor and the image recording means, and power source for supplying photographic judgment means for judging whether or not a operation by the image sensor during a recording operation by the recording means is conducted according to information of electric power consumption on the image recording means and the image sensor

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(col. 5 line 41- col. 6 line 2, col. 5 line 61-col. 6 line 2 teach that picture taking flag is set at the start of the print, and the picture taking flag is set until the print ends, the picture taking operation can be prevented from being performed during printing.) Therefore, a print operation with the large power dissipation and the picture taking operation are not simultaneously performed, the peak value of the power dissipation can be suppressed, and it is possible to contribute to lengthen the usable period of the battery. Thus, the intent of Suzuki is to inhibit photographic operations during printing operations in order to reduce power consumption and is therefore based upon information of electric power consumption as claimed.

[Claim 32]

It is inherent that power information includes voltages as one of the characteristics.

9. Claims 26 and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Tamura (JP Patent # 9-37125).

[Claim 26]

Tamura discloses an imaging sensor (figure 1, element 1) for inputting an object image and for obtaining image signals a transfer means (5) for transferring signals to an outside according to the image signals obtained by the image sensor (1), a power source (7 and 8) for supplying electric power to the image sensor (1) and the transfer means (Paragraph 14). Tamura further discloses that before transmitting a picture to the outside the power supply is turned OFF (Step S4) by the controller (6) for prohibiting a photographing operation during the transfer means (Paragraph 17, figure 2). Tamura clearly teaches in paragraph 16, figure 2 that a power switch is turned on which supplies power to all the circuits except the transmitter 5. Tamura further teaches in paragraph 17 that after the photographic operations are done, power is turned off to

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the camera (step S4). An automatic transmission switch 10 is turned on is decided, and the image file is transferred is the power is on. During this time the power to the camera is turned off and only power to the transmission section is supplied. It would be inherent that a successive photographing operation can be enabled by turning on the power switch of the camera after the transfer operation is complete. Therefore Tamura does teach controller (5) for prohibiting a photographing operation by the image sensor during a transfer operation by the transfer means then permitting the photographing operation upon completion of the transfer operation.

[Claim 27]

Tamura discloses an imaging sensor (figure 1, element 1) for inputting an object image and for obtaining image signals, a transfer means (5) for transferring signals to an outside according to an the image signals obtained by the image sensor (1), a power source (7 and 8) for supplying electric power to the image sensor (1) and the transfer means (Paragraph 14). Tamura further discloses a judgment means for judging whether or not a photographic operation by the image sensor during a transferring operation of the transfer means is conducted according to information of electric power consumption on the transfer means and the image sensor (Paragraph 17, figure 2, See explanation in claim 26).

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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11. Claims 24 is rejected under 35 U.S.C. 102(b) as being anticipated by Maeda et al. (US Patent # 5,493,409).

[Claim 24]

Maeda et al. teaches an imaging apparatus (figure 1) comprising an image sensor (101) for inputting an object image and for obtaining image signals (col. 7 lines 18-22), an image recording means (111) for printing according to the image signals obtained by the image sensor (col. 7 lines 53-57), a power source (109) for supplying an electric power to the image sensor and the image recording means (col. 7 lines 43-47) and a controller (100) for making the image recording means to suspend a recording operation when a photographing operation by the image sensor is instructed during the recording operation by the image recording means, for making the image sensor to photographing, and then for making the image recording means to restart the recording operation after the photographing operation of the image sensor is finished (col. 8 line 57-col. 9 line 41). In Table 1, Dcon is '01', power is not supplied to printer and image forming section and only to the camera section so that the camera section can start photographing. When Dcon is '10' the power is supplied to the image forming section, so that the image taken already by the camera section can be recorded.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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13. Claims 15, 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (US Patent # 6,111,605) in view of Ogawa et al. (US Patent # 6,603,506).

[Claims 15, 19, 21]

Suzuki teaches all the limitations of claims 1, 16 and 20 but fails to teach a template processing that is conducted to input image signals in the image recording means, the template processing resulting in a template being incorporated into the image signals when subsequently viewed and/or printed.

However Ogawa et al. teaches a display for form data and the image data and the two being integrated and can be viewed and/or printed (col. 10 lines 14-20, col. 1 lines 45-50, figure 17) in order to have a printer that is decorated with any decorative information viewed and printed by the user.

Therefore taking the combined teachings of Suzuki and Ogawa, it would be obvious to one skilled in the art at the time of the invention to have been motivated to have a template processing that is conducted to input image signals in the image recording means, the template processing resulting in a template being incorporated into the image signals when subsequently viewed and/or printed in order to have a printer that is decorated with any decorative information viewed and printed by the user.

14. Claims 15, 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamura (JP Patent # 9-37125) in view of Kakimoto et al. (US Patent # 6,409,350).

[Claims 28 and 29]

Tamura discloses an imaging sensor (figure 1, element 1) for inputting an object image and for obtaining image signals, a transfer means (5) for transferring signals to an outside according to

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an the image signals obtained by the image sensor (1), a power source (7 and 8) for supplying electric power to the image sensor (1) and the transfer means (Paragraph 14). Tamura further discloses in figure 3 a display means (11) for displaying an image according to the image signals obtained by the image sensor (Paragraph 19). Tamura teaches that the controller (6) turns the power supply 7 OFF so that the luminance for lowering a luminance for an image display of the display means during a transferring operation of the transfer means i.e. the display means do not conduct the image display (Paragraph 17).

Tamura fails to teach wherein the image display is still visible at some lower luminance. However Kakimoto et al. teaches an LCD projector K1 that has a control circuit 81 which controls the secondary power source 20 to provide a voltage to the light source 30 to generally illuminate at a level (standard use luminance) lower than the maximum luminance as shown in FIG. 6 in order to extend the service life of the light source 30 can be extended and also the voltage supplied to the light source 30 can be reduced from the very beginning of the use of the LCD projector K1 (col. 4 lines 52-65).

Therefore taking the combined teachings of Suzuki and Ogawa, it would be obvious to one skilled in the art at the time of the invention to have been motivated to have an image display that is still visible at some lower luminance in order to extend the service life of the light source 30 can be extended and also the voltage supplied to the light source 30 can be reduced from the very beginning of the use of the LCD projector K1.

Conclusion

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh K. Aggarwal whose telephone number is (571) 272-7360. The examiner can normally be reached on M-F 9:00AM-5:30PM.


16. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571)-272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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17. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YKA

September 1, 2005



DAVID L. OMETZ
SUPERVISORY PATENT
EXAMINER